



INSTITUTE ON WOMEN
& CRIMINAL JUSTICE

Shifting Resources from Prisons to Communities

Recommendations for Change from the Women's Advocacy Project

December 2007

About the Women's Advocacy Project:

The Women's Advocacy Project (WAP) trains emerging leaders to craft solutions to the problems facing women in the criminal justice system. We are a diverse group of women who have had direct experience with the criminal justice system and other public systems such as child welfare, homelessness, and public assistance. Our group includes women who are college students, social service professionals, and dedicated advocates. We work together to transform our personal experiences into strategies for change. WAP is a project of the Women's Prison Association.

Money Spent on Prisons is Money Not Spent in Our Communities

The alarming rate of growth in women's incarceration has a devastating impact on us as women, and on our families and communities. Women enter the criminal justice system with a variety of issues such as substance abuse, poverty, domestic violence, mental health and health concerns, homelessness, and low levels of formal education. If these issues were addressed on the community level, many women might never enter into the criminal justice system, let alone prison.

While money is being spent on incarcerating women in faraway prisons, our home communities are lacking the resources for services that could prevent the need for incarceration in the first place. Some states have begun implementing what is called "justice reinvestment." Justice reinvestment takes money that would otherwise be spent on incarcerating people and reinvests it in much-needed services on the community level. This reinvestment is especially needed in New York City's communities of color. Women of color are vastly over-represented in New York's prisons and jails.

More resources should be directed toward preventive services that will keep families together and communities safe. Parenting classes, drug treatment programs, and mental health services could all help address the root problems that send many women to prison. Women also benefit from gender-specific programs tailored to their needs.

In addition to the need for more resources, we see a need for more active and engaged communities. Many communities are less tight-knit than they once were, when anyone's child was everyone's responsibility. While we must try to direct more resources to our neighborhoods, we must also do more to help our neighbors help themselves.

Women's Pathways to Criminal Justice Involvement

Many women who wind up in the criminal justice system are struggling with the disease of addiction. In New York, over 80 percent of incarcerated women have a history of substance abuse.¹ Addictions often stem from low self esteem, domestic violence, and past trauma.

Many women have been emotionally, physically, and mentally abused. Approximately 82 percent of women at Bedford Hills Correctional Facility were severely abused as children, and more than 90 percent have been physically or sexually abused at some point during their life.² Women who have experienced trauma and abuse are often made to feel like they will never amount to anything, and as a result question their self worth. Some turn to drugs to medicate themselves or they commit crimes in an attempt to gain love or attention from another. For others, drugs become a way into new social circles, a way to alleviate loneliness and form bonds with other people. Some women are driven by other addictions, including the addiction to money.

Other women become involved in the criminal justice system because untreated mental health issues lead them to participate in criminal activity. In 2004, 73 percent of women incarcerated in state prisons had a clinical mental health diagnosis or symptoms, or received help from a mental health professional in the previous year.³ Some women are reluctant to seek assistance because of the stigma attached to getting help for mental health issues. Still others are coerced or threatened into committing crimes by abusive partners.⁴ These women may fear for their safety if they were to leave the relationship or cease the criminal activity.

Women's economic situations play a big part in their decisions to supplement their income illegally. Approximately 37 percent of incarcerated women made less than \$600 per month before their arrest.⁵ Often, women are the breadwinners and caretakers of the household. Many have limited education and face a lack of job opportunities. Almost 60 percent of women incarcerated in New York never obtained a high school diploma, and 40 percent read at or below an 8th grade reading level.⁶ There are not enough job readiness programs where women can build professional skills and gain basic life skills. There is also a need for employment with higher pay, and educational opportunities ranging from GED to college education and beyond.

The Incarceration of Mothers

Nationally, 7 out of 10 women involved in the criminal justice system have children under the age of 18.⁷ The incarceration of a mother breaks up the foundation of the family, causing the children the trauma of separation and putting strain on the other family members left behind. When mothers are incarcerated, other family members or the child welfare system must step in to carry the responsibility of caring for the children. There are not enough support services in the community for these caregivers.

Women who are incarcerated are at risk of losing their kids due to the Adoption and Safe Families Act (ASFA). This federal law presumes that states will begin the process of terminating parental rights if a child has been in foster care for 15 out of the last 22 months. For the many women who are incarcerated for 15 months or more ASFA creates a very real threat to their parental rights. A number of factors make it difficult for mothers to maintain the level of contact with their children that they would need to demonstrate that they are actively planning for their child's future.

We know first hand that many children experience a feeling of abandonment because of their mother's involvement in the criminal justice system. If they are raised to believe that their mother is

bad and doesn't love them, children can become angry and act out in negative ways. There are not enough after school programs, job training, and support services that would help children deal with the effects of having an incarcerated parent.

Recommendations for Change

We should rely on community-based programs, not prison, to treat addiction, mental health issues, and underlying trauma:

- Increase funding for alternative to incarceration and drug treatment programs, and make them available to more people.
- Provide quality, affordable healthcare to all, including physical and mental health care.
- Increase awareness about what health and mental health services are covered by insurance providers.
- Make free and low-cost therapy more readily available.
- Devote more resources to gender-specific substance abuse treatment.
- Recognize that "one size does not fit all" in substance abuse treatment and that different people will need different interventions: residential/non-residential, family/single, faith-based/non-faith-based, AA/NA, detox programs, etc.
- Recognize that there are many ways to tend to one's spiritual needs: involvement in church or other organized religious communities, anonymous recovery groups, self-help books, meditation and yoga, exercise, etc.

We can keep communities safe without sending people to prison:

- Make greater use of alternatives to incarceration such as probation sentences, supervised community service, mandated substance abuse treatment and other supervised, community-based programs. These programs should be used as diversions for people who would otherwise be facing incarceration.
- Improve probation by: use of shorter, targeted sentences; better connections between probation and community-based service providers; more access to job preparation services with employment placement, education, health and mental health services while on probation.
- Provide more resources to local neighborhood watch programs so that communities can safe-guard themselves.
- Enhance community based education, recreation and employment programs to provide community members with more productive ways to spend their time.

Education can break the cycle of poverty and crime:

- Increase awareness of existing basic education, GED, tutoring, and tuition assistance programs so that more people can take advantage of these resources.
- Offer college and higher education at low or no-cost by offering scholarships or government funding to people who are leaving incarceration.
- Make education and job training a greater component of existing alternative to incarceration programs.
- Provide child care (preferably on-site) so mothers can attend school, work, and treatment.
- Increase awareness of existing life skills programs such as parenting, home maintenance, and financial management so that more people can take advantage of these resources.
- Increase internship opportunities to help introduce people to new areas of work.

The Women's Advocacy Project is a program of the Institute on Women & Criminal Justice at the Women's Prison Association. For more information, visit www.wpaonline.org.

¹ State of New York Department of Correctional Services. Hub System: Profile of Inmate Population Under Custody on January 1, 2007. pg 55. http://www.docs.state.ny.us/Research/Reports/Hub_Report_2007.pdf. Many of the statistics in the WAP policy statement were drawn from the Women In Prison Project Fact Sheets, available online at: http://correctionalassociation.org/WIPP/publications/publications_main.htm

² Browne, Miller and Maguin, "Prevalence and Severity of Lifetime Physical and Sexual Victimization Among Incarcerated Women," International Journal of Law & Psychiatry 22(3-4) (1999)

³ Doris J. James and Lauren E. Glaze, *Mental Health Problems of Prison and Jail Inmates*, Bureau of Justice Statistics, U.S. Department of Justice (September 2006). <http://www.ojp.usdoj.gov/bjs/pub/pdf/mhppji.pdf>

⁴ Beth E. Richie, *Compelled to Crime: The Gender Entrapment of Battered Black Women* (New York: Routledge Press, 1996)

⁵ Lawrence A. Greenfield and Tracy L. Snell, *Women Offenders*, Bureau of Justice Statistics, U.S. Department of Justice (December 1999) <http://www.ojp.usdoj.gov/bjs/pub/pdf/wo.pdf>

⁶ State of New York Department of Correctional Services. Hub Report 2006.

⁷ Lawrence A. Greenfield and Tracy L. Snell, *Women Offenders*, Bureau of Justice Statistics, U.S. Department of Justice (December 1999) <http://www.ojp.usdoj.gov/bjs/pub/pdf/wo.pdf>